

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID J. CATANZARO,	:	
Plaintiff	:	CIVIL ACTION NO. 3:22-1754
v.	:	(JUDGE MANNION)
WALMART STORES, INC., et al.,	:	
Defendants	:	

ORDER

Pending before the court is the plaintiff's motion for reconsideration of the court's order dated August 10, 2023, directing that he identify the defendants "Does 1-50" within thirty (30) days of the date of the order or have the instant action dismissed. (Doc. 25).

Initially, upon review of the docket in this matter, the plaintiff has failed to file a brief in support of his motion pursuant to the provisions of L.R. 7.5, which itself mandates dismissal of the motion. Moreover, although the plaintiff argues in his motion that the order of August 10, 2023 should be vacated because he never received the order, a review of the docket indicates that the order was mailed to the plaintiff at the same address at which he has received all of his filings in this action on the same day it was entered by the court. Finally, even if by chance the plaintiff never received

the order, he was obviously aware of the order by September 14, 2023, when he filed the instant motion. In his filing, the plaintiff requests an additional thirty (30) days to identify the defendants "Does 1-50" arguing that he had only become aware of the court's order the previous day. Despite the plaintiff's own request of an additional thirty (30) days, as of the date of the instant order, some 116 days later, the plaintiff has still not filed anything to identify the "Does 1-50".

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- (1) The plaintiff's motion for reconsideration (Doc. 25) is DENIED.**
- (2) The instant action is DISMISSED.**
- (3) The Clerk of Court is directed to CLOSE THIS CASE.**



MALACHY E. MANNION
United States District Judge

DATE: January 8, 2024

22-1754-04